

The Washington State Department of Ecology

In Testimony Before

The Committee on Commerce, Science and Transportation
United States Senate
Congress of the United States

Washington, D.C.

March 13, 2000

Senator Gorton, members of the subcommittee, my name is Joe Stohr. I manage the Oil Spill Prevention, Preparedness and Response Program for the Washington State Department of Ecology. I have been asked to give you a brief synopsis of the response to the Olympic Oil Pipe Line Company, spill of June 10, 1999, comment on actions taken in the aftermath and briefly describe our regulatory relationship with the Company.

If I may, let me begin by clarifying that my agency responds to spills from an environmental perspective. In the case of the tragic explosion and fire in Bellingham, our role obviously took a back seat to the fire service and their public safety operations and in my characterization of the incident response I won't be speaking to the fire fighting and rescue aspects.

That said, I will add that we have responded to a number of large petroleum spills in our state, and our assessment of these emergency responses typically centers on an evaluation of command and control. It is quite challenging to rapidly mesh multiple local, state and federal agencies, as well as multiple private companies, into a cohesive organization in a matter of hours under emergency conditions. To pull this off, emergency responders nationwide subscribe to a standard organizing principle called the incident command system, and in this case, a variation called unified command.

In short, the department of Ecology was pleased with the speed and selflessness with which the unified command structure was formed, and the emergency operations center activated in downtown Bellingham. The unified command for environmental response (not to be confused with the fire fighting response) formed within approximately three hours of the explosion. It was made up of representatives of the City of Bellingham, the State Department of Ecology, the U.S. Environmental Protection Agency and the Olympic Pipe Line Company. Ultimately, dozens of public agencies and private companies were integrated into this unified command structure.

During the first few days of the incident, this unified command operated in the near background as the Bellingham Fire Department maintained command of the fire zone to ensure site safety and determine when it was safe for environmental clean up efforts to begin. There were no arguments about this, nor were there significant organizational problems for the duration of the unified command's handling of the environmental clean up phase of the emergency.

In Bellingham, we believe the strengths of the environmental response include:

- A collaborative style of decision making in the unified command partnership
- Full participation and integration of local elected officials, minimizing political conflicts
- Successful tapping of statewide and nationwide resources

We believe the lessons learned include:

- The need for incident command training for peripheral agencies and companies.
- The need to smoothly integrate site safety plans into response operations.
- The need to smoothly transition the emergency clean up to the long term restoration of the damage to natural resources.

Aftermath

In the aftermath of this gasoline spill and fire, biologists are working with the pipeline company to restore Whatcom Creek. For a distance of one and one-half miles, all forms of life in or near the creek were killed. Additionally, everything in the creek itself was killed from the ignition point to three miles downstream where it empties into the sea.

After the accident, a Joint Restoration Committee was immediately formed of local, state and federal agencies. The Committee's charge was to identify short-term actions necessary to rehabilitate the stream and allow for the return of salmon and other species. The Olympic Pipeline Company was very responsive in carrying out these actions which included:

- conducting various studies and monitoring programs;
- removing residual gas from the sediments;
- containing further seepage;
- increasing spawning habitat;
- hydromulching of sensitive areas to prevent erosion; and
- developing a draft long-term restoration plan which we should see soon.

In contrast to the team approach immediately following the accident, our regulatory relationship with the Company has not always been so positive. Again, the Department of Ecology's current authority resides in the enforcement of environmental statutes and the Olympic Pipeline Company historically has a poor performance record in these areas. Some examples include:

- difficulties in getting the Company to submit a quality contingency plan for oil spills;
- refusal by the Company to discuss spill prevention issues along the mainstem of the pipeline;
- about 50 oil spills of over 825,000 gallons resulting in the assessment of \$150,000 in penalty in

- addition to assessments for natural resource damages;
- a general lack of attention to spill prevention in the recently withdrawn proposal to extend the existing pipeline to Eastern Washington; and
- our perception that the Company's corporate culture didn't understand the need for spill prevention and preparedness and in fact were far outside industry norms in these areas.

On the positive side, recent changes in Olympic Pipeline management are welcome and we see progress being made to increase the focus on environmental protection. We hope this trend continues.

That concludes my remarks.